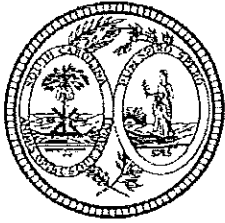


193177



Randall Dong
Staff Counsel

The Public Service Commission
State of South Carolina

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Randall.Dong@psc.sc.gov

Posted: Tecl

Dept: S.A.

Date: 5/29/08

Time: 10:45

May 28, 2008

Mr. Robert Morris
Editor, Charlotte Business Journal
1100 South Tryon Street, Suite 100
Charlotte, North Carolina 28203

Re: South Carolina Freedom of Information Act Request dated May 13, 2008

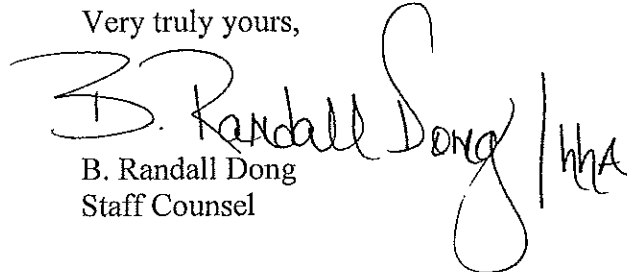
Dear Mr. Morris:

This letter responds on behalf of the Commission to your request, pursuant to the South Carolina Freedom of Information Act, that we provide you with a transcript of testimony and copies of certain documents presented in the May 12, 2008 hearing on the application by Duke Energy for approval of its decision to incur nuclear generation pre-construction costs (Docket No. 2007-440-E). You had requested that we respond by the close of business on May 27, 2008, and I had intended to communicate with you yesterday afternoon. I apologize for not doing so.

The Freedom of Information Act, at S.C. Code Ann. §30-4-30(c), requires that a public body receiving a request for records under the Act notify the requestor of its determination as to the public availability of the requested records within fifteen days (not counting Saturdays, Sundays, and legal public holidays) of receiving the request. Therefore, we will provide a full response to your request on or before Wednesday, June 4, 2008.

With kind regards, I am

Very truly yours,


B. Randall Dong
Staff Counsel

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cc: Frank R. Ellerbe, III, Esquire
Robert Guild, Esquire
Nanette S. Edwards, Esquire
C. Lessie Hammonds, Esquire
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John M. Bowen, Jr., Esquire
Margaret M. Fox, Esquire